IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

WP(C).No. 10054 of 2007(V)

PETITIONER:

ELSY, W/O.VASU,
PAMBUNGAL HOUSE, MADAKKATHRA VILLAGE,
TRISSUR.

BY ADV. SMT.S.MUMTAZ

RESPONDENTS:

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1. THE JOINT REGISTRAR,
OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, TRISSUR.

2. VILVATTOM SERVICE CO-OPERATIVE
BANK LTD.NO.337, REPRESENTED BY THE SECRETARY,
KARUVANKAD, TRISSUR.

3. SPECIAL SALE OFFICER,
OFFICE OF THE ASST.REGISTRAR OF CO-OP.SOCIETIES
(GENERAL), TRISSUR.

BY GOVT. PLEADER SMT.ANU SIVARAMAN.
R2 BY ADV. SRI.C.E.UNNIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 10054/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF THE RECEIPT OF PAYMENT DTD 14.2.2007.

EXT. P2 : TRUE COPY OF THE SALE NOTICE DTD. 22.2.2007.

EXT. P3 : TRUE COPY OF THE REPRESENTATION DATED 28.2.2007 TO THE 2ND RESPONDENT.

K.M.JOSEPH, J.

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WP.(C) No.10054 of 2007

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Dated this the 3rd day of July, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Recovery is challenged. Counsel for the petitioner seeks time to pay off the amount.

2. Heard counsel for the respondents also.

The writ petition is disposed of directing the petitioner to pay off the amount with interest in three equal monthly instalments, the first of which shall be paid on or before 2.8.2007, and the succeeding instalments on or before the 2nd of the succeeding months. The respondent Bank will serve a statement on the petitioner within two weeks from today showing the amount payable by the petitioner as instalment, calculating it on the basis that the petitioner has to pay off the amount in three instalments. If any of the instalment is not paid, the petitioner will loose the benefit of this judgment and it will be open to the Bank to proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

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